

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 THOMAS H. PETERSON and MARIE
5 AYDELL PETERSON,

6 Plaintiffs,

7 v.

8 BANK OF AMERICA, N.A.,

9 Defendant.
10

Case No. 2:15-cv-01559-APG-GWF

**ORDER DENYING AMENDED
MOTION FOR INJUNCTIVE RELIEF**

(Dkt. #8)

11 Plaintiffs Thomas H. Peterson and Marie Aydell Peterson moved for injunctive relief in
12 relation to being evicted from their property following a foreclosure sale. (Dkt. #8.) On
13 September 3, 2015, I ordered plaintiffs to file proof of proper service of the court papers on
14 defendant Bank of America, N.A. by October 5, 2015. I warned the plaintiffs that their failure to
15 file proof of proper service would result in the denial of the motion. Subsequently, the plaintiffs
16 filed documents purporting to show service on Bank of America. (Dkt. #15.) However,
17 delivering papers to a company's alleged lawyer is not effective service under Federal Rule of
18 Civil Procedure 4. Indeed, the recipient of that improper service filed a letter denying he
19 represents Bank of America and denying that he is the resident agent for service of process. (Dkt.
20 #14.) Thus, plaintiffs have not effectively served Bank of America with process.

21 IT IS THEREFORE ORDERED that the plaintiffs' amended motion for injunctive relief
22 is denied without prejudice.

23 DATED this 21st day of December, 2015.

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25 ANDREW P. GORDON
26 UNITED STATES DISTRICT JUDGE
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